

Environmental Protection Commission Minutes

MINUTES OF THE MEETING OF THE
MECKLENBURG COUNTY
ENVIRONMENTAL PROTECTION COMMISSION

April 23, 2001

The monthly meeting of the Mecklenburg County Environmental Protection Commission was held on Monday, April 23, 2001, in the Ed Woods Training Center of the Hal Marshall Center, 700 North Tryon St., Charlotte, NC.

Members Present: Steve Weber, Chairman
Pat Owens, Vice Chair
Todd Hayes
Kris Knudsen
William Pugh

Members Absent: Dr. Joseph Markey
Christy Kleusner
Tom Pizzo

Also in Attendance: John Barry, Mecklenburg County

Department of Environmental
Protection

Jane Griffith, MCDEP

Randy Poole, MCDEP

Don Willard, MCDEP

Geneva Johnson, POOH

Edward Johnson, POOH

Evelyn Wilson, POOH

Joe R. Wilson, POOH

N.H. Hubbie, Safe Waste Inc

Mr./Mrs. F. V. Summers, Citizen

Jeffrey A. Pease, Citizen

Ken Davies, Attorney

Peter M. Duggan, Citizen

G. Rencher Hall, Jr., BMWNC, Inc

P. Thornson, BMWNC, Inc

Meine Salvo, Town of Matthews

I. Call to Order

The regular meeting of the Environmental Protection Commission (EPC) was called to order by Chairman Steve Weber at 5:40 p.m. A quorum did not arrive until 5:45.

II. Air Quality Permit Reviews

Chairman Weber opened the public comment period for the facilities below, providing notice of the Department of Environmental Protection's intent to issue/modify their air quality permit(s):

Cognis Corporation – 3300 Westinghouse Blvd., Charlotte, NC

Kurtz Transfer Products, L.P. – 3200 Woodpark Blvd., Charlotte NC 28206

Rea Construction Company – 8205 Wilkinson Blvd, Charlotte, NC

United Oil of the Carolinas, Inc. – 11116 Mount Holly-Huntersville Rd.,
Huntersville, NC 28078

Gasoline Dispensing Facilities:

Petro Express – 7901 N. Tryon St., Charlotte, NC 28262

Transportation Facilities: Public comment period for the permits below is thirty days.

Charlotte/Douglas International Airport – 5501 Josh Birmingham Parkway,
Charlotte, NC 28219

B: Action Required: Information Only

Charlotte Quarry – 4551 Beatties Ford Road, Charlotte, NC 28216

Metromont Materials Corporation – 9950 Metromont Industrial Blvd.,
Charlotte, NC 28269

Metromont Materials Corporation – 1801 Cottonwood St., Charlotte, NC 28206

Gasoline Dispensing Facilities:

None

Transportation Facilities: Public comment period for the permits below is thirty days.

None

Notification:

None

C: Action Required: Other Information

None

III. Solid Waste Permit Reviews

A: Action Required: Information Only - Permit Reissues

None

IV. Minutes from the February 26, 2001 Meeting

This item will be placed on the agenda for the June 4, 2001 meeting.

V. Comments from Chairman

None.

VI. Comments from Director of Environmental Protection

None

VII. BREATHE Update

Don Willard told the Commission that the BREATHE strategy had been presented to the Board of County Commissioners at their luncheon on March 29, 2001. He said that the presentation and concept had been enthusiastically received and that the BOCC had endorsed continued action and preparation to include a presentation to the City Council as well as the formation of a stakeholders group to study what voluntary means or regulatory means might be designed to promote additional voluntary actions to improve Charlotte's air quality.

During questions and answers, the EPC requested that they be notified when the City Council presentation would be held so that members could attend, if they so desired. Additionally, they requested that a member of the EPC be designated as

a member of the stakeholders group. The request was made in the form of a motion by Kris Knudsen, seconded by William Pugh: “That the EPC be one of the stakeholders in the BREATHE stakeholders group.”

VIII. Public Comment

Chairman Weber recognized several members of the public at this time so that they would not have to wait until the end of the meeting to make their brief comments.

Ken Davies (Attorney for the citizens opposing the Southpark Mall expansion) said that his appearance was to ask for a public meeting or public hearing on the air quality permit that had been issued by the Department of Environmental Protection. In his remarks, he reviewed for the benefit of the EPC, the background associated with the existing law suit. He said that MCDEP had met with them and had addressed their concerns, although they did not agree with some of the information that had been provided to the Department relative to traffic flow.

Peter Duggan (Citizen) said that the continued loss of greenspace was a shame and he questioned the reported growth rate of the region. He said that at this time the CO projected levels approach the limit of 9 parts per million and that the Carnegie Center, currently under planning, was not included in the modeling computations. He also questioned whether the proposed expansion would make the area pedestrian friendly.

Frank Summers (Citizen) said that he was very surprised that the permit was issued which would add to the CO pollution in the area. He disagreed with the 1% growth rate as projected by the CDOT. He also said the intersection of Fairview and Carnegie was not included in the computations.

After some discussion, Pat Owens moved, seconded by William Pugh, that: “The item be placed on the agenda for the June 4 meeting.” The resolution was passed unanimously. Chairman Weber said that he would like to allot 15 minutes each to the citizens opposing the Southpark expansion, the City Department of

Transportation (should they elect to attend), the Department of Environmental Protection and members of the EPC.

IX. Blue Ridge Environmental Defense League

In an effort to lay groundwork for the EPC, Don Willard and Randy Poole gave a brief discussion of the events and dates surrounding the issuance of an order to cease operation and the communications and resumption of operation of BMWNC, Inc. They indicated that the company would be required to undergo a full capacity stack testing which would indicate more specifically what emissions were being released into the atmosphere.

Louis Zeller (Blue Ridge Environmental Defense League) gave a short presentation including prepared remarks. He said that medical waste incinerators are the second largest known source of dioxin in the United States, and that dioxins are considered to be a known human carcinogen. He said that BMWNC's medical waste incinerator begun operation in 1986, and that they incinerate waste from approximately 12 states. Since 1989 citizens living near the incinerator have complained of smoke, odors, and burning eyes and noses. He requested that:

- (1) the EPC initiate sound, scientific testing of stack emissions for dioxins, furans, and mercury and that tissues studies should also be done,
- (2) that MCDEP inspect the plant at least twice monthly without prior notification, and
- (3) that MCDEP respond to all residents' complaints of smoke, odor and other problems, and that the person complaining be notified of the results.

After a period of discussion and questions and answers, the Department reassured the EPC that it was the policy of the Department to investigate complaints and to notify the person complaining as to the result of the investigation.

Louis Zeller said that he would send to the EPC a listing of dioxin sources in Mecklenburg County.

X. Other Business

After a brief discussion it was decided that since the regular May meeting would be on Memorial Day, the members decided to reschedule the meeting for June 4, 2001. This will necessitate having that meeting and the regularly scheduled meeting for June 25, 2001.

XI. Next Meeting

The next meeting will be held at 5:30 p.m. on June 4, 2001, in the Ed Woods training room of the Hal Marshall County Services Center. This change of date is a result of a conflict with the Memorial Day holiday.

XII. Adjournment

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

John M. Barry, Ph.D.

Secretary